

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 8-9, 2004

Reference No.: 3.7
Information Item

From: CINDY MCKIM
Acting Chief Financial Officer

Prepared by: Terry Abbott
Division Chief
Local Assistance

Ref: **FIFTH CYCLE AB 1012 UNOBLIGATED RSTP, CMAQ, AND REGIONAL TEA “USE IT OR LOSE IT” BALANCE REPORT**

SUMMARY:

The annual notice to regional agencies for the fifth cycle of AB 1012 “Use It or Lose It” provisions was released on December 29, 2003. At that time fifth cycle Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ), and Regional Transportation Enhancement Activity (R-TEA) funds subject to potential reprogramming on December 29, 2004 totaled approximately \$229 million, based on September 30, 2003 balances. Eleven agencies had CMAQ balances subject to reprogramming, nine agencies had RSTP balances subject to reprogramming, and 31 regions had R-TEA balances subject to reprogramming.

The September 30, 2004, balance reports show total funds subject to reprogramming for the fifth cycle of AB 1012 are approximately \$5 million, a reduction of \$224 million from the September 30, 2003 balances. Approximately 93 percent of the amount subject to reprogramming is in the R-TEA program, 4 percent is in the CMAQ program, and 3 percent is in the RSTP program. Since September 2003, the number of agencies with R-TEA balances subject to reprogramming has decreased from 31 to 12, agencies with CMAQ balances subject to reprogramming has decreased from 11 to 1, and the number of agencies with RSTP balances subject to reprogramming has decreased from 9 to 1. Please note that agencies may have more than one type of fund subject to reprogramming.

The Department of Transportation (Department) is continuing to work with the agencies to ensure all fifth cycle balances subject to reprogramming will be obligated by the December 29, 2004 deadline. The Department has received an extension request from one agency for R-TEA funds. (See concurrent item 2.8f.)

BACKGROUND:

AB 1012 was enacted October 10, 1999 with a goal of improving the delivery of transportation projects. A section of the legislation states that regional agency CMAQ and RSTP funds that are not obligated within the first three years of federal eligibility are subject to reprogramming by the Commission in the fourth year. The Department is including R-TEA funds under the AB 1012 “use it or lose it” requirements. In addition, the Department is required to submit quarterly progress reports on impacted fund balances to the Commission.

Attachments

**APPORTIONMENT STATUS REPORT
CMAQ, RSTP, R-TEA
Per AB 1012
as of September 30, 2004**

Reference #3.7
Attachment Page 1

**Cycle 5 Summary
(with AC Projects Included)**

Region	CMAQ Unobligated 09/30/04 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	RSTP Unobligated 09/30/04 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	R-TEA Unobligated 09/30/04 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²
Butte	1,471,855	-	-	-	-	-
Fresno	17,873,029	-	10,102,792	-	1,006,198	-
Kern	12,612,269	-	11,542,578	-	672,467	-
Kings	1,472,078	-	-	-	-	-
Los Angeles	24,272,701	-	111,294,465	-	(631,323)	-
Madera	1,213,539	-	1,536	-	-	-
Merced	30,428	-	93,242	-	-	-
Monterey	4,013,584	-	1,593,468	-	1,037,339	459,965
Orange	9,746,772	-	44,263,789	-	-	-
Riverside	2,573,923	-	29,581,236	139,149	3,639,618	1,484,697
Sacramento (SACOG)	77,354	-	(5,549,158)	-	249,662	-
San Benito	830,462	190,535	-	-	-	-
San Bernardino	38,671,651	-	24,941,335	-	4,099,861	1,297,640
San Diego	14,877,449	-	24,932,623	-	(2,680,093)	-
S.F. Bay Area (MTC)	13,242,956	-	22,741,276	-	(2,963,999)	-
San Joaquin	7,747,231	-	7,674,366	-	(71,962)	-
San Luis Obispo	-	-	1,495,741	-	806,806	219,038
Santa Barbara	6,697,230	-	(187)	-	454,381	-
Santa Cruz	679,308	-	253,223	-	69,638	-
Stanislaus	5,133,412	-	7,879,446	-	139,500	-
Tahoe	778,926	-	-	-	141,224	56,000
Tulare	5,126,472	-	-	-	163,437	-
Ventura	10,849,252	-	12,479,573	-	579,872	-
Rural Counties & SCAG	\$0	\$0	\$5,745,528	\$0	\$2,514,073	\$1,099,318
TOTAL	\$179,991,881	\$190,535	\$311,066,872	\$139,149	\$9,226,699	\$4,616,658

¹ Indicates all apportionments not yet obligated. Excludes Federal Fiscal Year (FFY) 2005 apportionments.

² Reflects balances 2-years old entering 3rd year.

>Cycle 5 assumes the use of all previous cycle balances.

>Note: The Regional balances reflect activities that have been recorded in the Department's Local Assistance accounting system. There may be a time delay between the FHWA authorization and the recording of the transaction in the Department's Local Assistance accounting system.

>Balances include FFY 2004 advanced apportionments.

>Balances are adjusted for projects using the State Advanced Construction process.

APPORTIONMENT STATUS REPORT
CMAQ, RSTP, R-TEA
Per AB 1012
as of September 30, 2004

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 Attachment Page 2

Cycle 5 Summary
Rural Counties

Region	CMAQ Unobligated 09/30/04 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	RSTP Unobligated 09/30/04 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	R-TEA Unobligated 09/30/04 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²
Rural County Information:						
Del Norte	-	-	-	-	-	-
Humboldt	-	-	-	-	433,275	118,616
Lake	-	-	-	-	-	-
Mendocino	-	-	-	-	503,760	206,694
Lassen	-	-	-	-	-	-
Modoc	-	-	-	-	-	-
Plumas	-	-	-	-	171,346	50,899
Shasta	-	-	-	-	-	-
Siskiyou	-	-	-	-	68,603	-
Tehama	-	-	-	-	-	-
Trinity	-	-	-	-	(115,854)	-
Colusa	-	-	-	-	-	-
El Dorado	-	-	309,242	-	(154,839)	-
Glenn	-	-	-	-	-	-
Nevada	-	-	-	-	71,297	-
Placer	-	-	3,356,965	-	34,629	-
Sierra	-	-	-	-	-	-
Inyo	-	-	130	-	(74,586)	-
Mono	-	-	-	-	-	-
Alpine	-	-	-	-	-	-
Amador	-	-	-	-	226,235	120,292
Calaveras	-	-	-	-	-	-
Mariposa	-	-	-	-	98,000	16,275
Tuolumne	-	-	-	-	295,185	155,739
Imperial (SCAG)	-	-	2,079,191	-	957,022	430,803
Rural Combined Totals:	\$0	\$0	\$5,745,528	\$0	\$2,514,073	\$1,099,318

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>Balances include FFY 2004 advanced apportionments.